

UNITED STATES DISTRICT COURT

FILED

FOR THE EASTERN DISTRICT OF CALIFORNIA (Fresno)

JAN 17 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY WJ
DEPUTY CLERK

ROBERT TREVINO,

Plaintiff - Appellant,

v.

THOMAS; et al.,

Defendants - Appellees.

No. 07-17171

D.C. No. CV-05-00466-OWW/SMS

ORDER

This appeal has been taken in good faith ☐

This appeal is not taken in good faith ☒

Explanation: In this over 6 year old case, no
facts or issues debatable among jurists of
reason support plaintiff's denial of access to law
library claim. This petition for rehearing was timely
filed.

William Wynn

Judge

United States District Court

Date: 1-15-08

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

January 10, 2008

ROBERT TREVINO,

Plaintiff - Appellant,

v.

THOMAS; et al.,

Defendants - Appellees.

No. 07-17171

D.C. No. CV-05-00466-OWW/SMS

REFERRAL NOTICE

This matter is referred to the district court for the limited purpose of determining whether this appeal has been taken in good faith or is frivolous. *See* 28 USC Sec. 1915(a)(3).

If the district court is of the opinion that this appeal is frivolous or not taken in good faith, the district court is requested to complete the attached certification form and return it to this court within 21 days. If this court does not receive a completed certification form within 21 days, it will presume that the district court considers the appeal to have been taken in good faith.

This referral shall not affect the briefing schedule previously established by this court.

FOR THE COURT:

Cathy A. Catterson
Clerk of Court



By: Jeffery Crocker
Deputy Clerk